

**MORRISON & FOERSTER LLP**

Attorneys at Law

2000 Pennsylvania Avenue, N.W.

Washington, D.C. 20006-1888

Telephone: (202) 887-1500

Facsimile: (202) 887-0763

**RUSH****To:** M. Dibrino  
United States Patent and Trademark Office**Facsimile:** 703-305-7401  
**Phone:** 703-308-0061**From:** Thomas G. Wiseman**Date:** September 18, 2000We are transmitting a total of **3** pages (including this page).Original or hard copy to follow if this box is checked **If you do not receive all pages, please call (202) 887-1525 as soon as possible.****Preparer of this slip has confirmed that facsimile number given is correct: 186/HRH**

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**Comments:** Please refer to accompanying CPA.

Re: U.S. Patent Application Serial No. 08/653,294

For: IMMUNOMODULATING DIMERS

By: Carol A. CLAYBERGER et al.

Your reference: S86-109

Our reference: 28600-20200.23

**RUSH**

Please type a plus sign (+) inside this box → PTO/SB/29 (12/97) (modified)  
Approved for use through 09/30/00, OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE**CONTINUED PROSECUTION APPLICATION (CPA)  
REQUEST TRANSMITTAL**Submit an original, and a duplicate for fee processing.  
(Only for continuation or Divisional applications under 37 CFR 1.53(d))CHECK BOX, if applicable:  
 **DUPLICATE**

ADDRESS TO:  Assistant Commissioner for Patents Box CPA Washington, DC 20231	Attorney Docket No.	286002020023
	First Named Inventor	Carol CLAYBERGER
	Hand Carried on Date	September 14, 2000
	Total Pages	2

This is a request for a  continuation or  divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 08/653,294, filed on November 13, 1993, entitled IMMUNOMODULATING PEPTIDES COMPRISING DIMERS.

**NOTES**

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), 1995; or (2) the national stage of an international application in compliance with 35 U.S.C. 371.

**CPA NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under CFR 37 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

1.  Enter the unentered amendment previously filed on February 4, 2000 under 37 CFR 1.116 in the prior nonprovisional application.
2.  A preliminary amendment is enclosed.
3.  This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a.  **DELETE** the following inventor(s) named in the prior nonprovisional application:  
.....
  - b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4.  A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5.  Information Disclosure Statement (IDS) is enclosed:
  - a.  PTO-1449
  - b.  Copies of IDS Citations

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	17-20 =	0	X \$18.00 =	\$0
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	1-3 =	0	X \$78.00 =	\$0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$260.00 =	\$0
				BASIC FEE (37 CFR 1.16(a))	\$690.00
				Total of above Calculations =	\$690.00
				Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).	\$0
				TOTAL =	\$690.00

## 6. Small entity status:

- a.  A small entity statement is enclosed.
- b.  A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c.  Is no longer claimed.

## 7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 03-1952 (reference docket no. 286002020023):

- a.  Fees required under 37 CFR 1.16.
- b.  Fees required under 37 CFR 1.17.
- c.  Fees required under 37 CFR 1.18.

8.  A check in the amount of \$690.00 is enclosed.9.  Other: .....

**NOTE:** The prior application's correspondence address will carry over to this CPA  
UNLESS a new correspondence address is provided below.

## 10. NEW CORRESPONDENCE ADDRESS

Thomas G. Wiseman  
Registration No. 35,046

Morrison & Foerster LLP  
2000 Pennsylvania Avenue, N.W.  
Washington, D.C. 20006-1888  
Telephone: (202) 887-1578  
Facsimile: (202) 887-0763

Dated: September 14, 2000

Respectfully submitted,

By: \_\_\_\_\_

Thomas G. Wiseman

## CERTIFICATE OF HAND DELIVERY

I hereby certify that this correspondence is being hand filed with the United States Patent and Trademark Office in Washington, D.C. on September 14, 2000.

Howard R. Harris